
WORKS CONTRACT NOTICE

Construction of the Waste Water Treatment Plant for the City of Raška

Republic of Serbia

1. Publication reference

EuropeAid/138712/ID/WKS/RS

2. Procedure

Local Open

3. Programme title

National programme for Serbia under the IPA – Transition Assistance and Institution Building Component for the year 2013

4. Financing

Financing agreement

5. Contracting Authority

The Government of the Republic of Serbia represented by the Ministry of Finance Department for Contracting and Financing of EU Funded Programmes (CFCU)

CONTRACT SPECIFICATIONS

6. Description of the contract

The overall aim of the project is to upgrade environmental infrastructure through investments into wastewater collection and treatment system.

The site chosen for the waste water treatment plant (hereinafter recognised as: WWTP) is in the northern zone of the agglomeration of Raška, in the district of the settlement Rvati, on the right hand side bank of the Ibar River.

The subject of this contract is the design and construction of the WWTP with capacity of 16,500 PE and effluent parameters compliant with the Urban Wastewater Treatment Directive 91/271/EEC and Serbian By-law named "Regulation on emission limit values of pollutants in water and deadlines for their achievement" (Gazette of RS 67/2011 and 48/12):

- Biological oxygen demand (BOD) 25mg/l;
- Total suspended solids (TSS) 35 mg/l;
- Chemical oxygen demand (COD) 125 mg/l.

This Contract will include training of Public Utility Company "Raška" staff for operation and maintenance of the WWTP before taking over.

The Contract Conditions are governed by FIDIC, Conditions of Contract for Plant and Design-Build Yellow Book, first Edition 1999).

7. Number and titles of lots

One lot only

TERMS OF PARTICIPATION

8. Eligibility and rules of origin

Participation is open to all legal persons (participating either individually or in a grouping – consortium - of tenderers) which are established in a Member State of the European Union or in a country or territory of the regions covered and/or authorised by the specific instruments applicable to the programme under which the contract is financed (see item 23 below). All goods supplied under this contract must originate in one or more of these countries. Participation is also open to international organisations. Participation of natural persons is directly governed by the specific instruments applicable to the programme under which the contract is financed.

9. Grounds for exclusion

Tenderers must submit a signed declaration, included in the Tender Form for a Works Contract, to the effect that they are not in any of the situations listed in point 2.3.3 of the **Practical Guide**.

10. Number of tenders

Tenderers may submit only one tender per lot. Tenders for parts of a lot will not be considered. Tenderers may submit a tender for a variant solution as per instruction to tenderers, clause 16.

11. Tender guarantee

Tenderers must provide a tender guarantee of 60,000 euros when submitting their tender. This guarantee will be released to unsuccessful tenderers once the tender procedure has been completed and to the successful tenderer upon signature of the contract by all parties.

12. Performance guarantee

The successful tenderer will be asked to provide a performance guarantee of 10% of the amount of the contract at the signing of the contract. This guarantee must be provided together with the return of the countersigned contract no later than 30 days after the tenderer receives the contract signed by the Contracting Authority. If the selected tenderer fails to provide such a guarantee within this period, the contract will be void and a new contract may be drawn up and sent to the tenderer which has submitted the next cheapest compliant tender.

13. Information meeting and/or site visit

A mandatory information meeting and site visit will be held on 13/02/2017, at 12:00 Central European Time, at Public Utility Company (PUC) "Raska" location in Raska municipality. The tenderer is obliged to visit and inspect the site of works and its surroundings for the purpose of the assessing, at its own responsibility, expense and risk, factors necessary for preparation of its tender and signature of the contract of the works.

The tenderer will need to register for the site visit at the latest on 10/02/2017, until 14:00 Central European Time writing to:

Tijana Pajevic, tijana.pajevic@raska.gov.rs and
Nenad Robajac, Nenad.Robajac@eko.minpolj.gov.rs.

The meeting point will be in the premises of Municipality of Raska at the address:
1 Predraga Vilimonovića St.
36350 Raška
Republic of Serbia

14. Tender validity

Tenders must remain valid for a period of 90 days after the deadline for submission of tenders. In exceptional circumstances, the Contracting Authority may, before the validity period expires, request that tenderers extend the validity of tenders for a specific period.

15. Period of implementation of tasks

Fifteen (15) months from the Commencement Date for design and construction until the Provisional Acceptance and 12 months Defects Liability Period.

SELECTION AND AWARD CRITERIA

16. Selection criteria

In the case of a tenders submitted by a consortium, the selection criteria will be applied to the consortium as a whole.

The selection criteria for each tenderer are as follows:

a) *Economic and financial capacity of tenderer:*

1. The average annual turnover of the tenderer for the 3 most recent business years, for which the accounts are closed must be at least 3.5 Million EUR.
2. Tenderer must have access to sufficient credit and other financial facilities to cover the required cash flow for the duration of the contract. In any case, the amount of credit available must be \geq 1 million EUR.

The statement shall clearly demonstrate that the financing is available for the concerned contract.

b) *Technical and professional capacity of tenderer:*

1. The minimum total staff number (in accordance with Form 4.6.1.1) employed by the tenderer from January 2017 must be at least 60 (sixty). Out of them, minimum 10 must be engineers or foreman. Proof of social contribution and/or insurance covering January – February 2017 period must be provided with the tender.

2. The tenderer must demonstrate that it is legal person duly registered in accordance with its national law and/or accordingly authorized to carry out the specified works.

3. The tenderer must demonstrate that annualised value of civil works carried out during 2015 and 2016 is not less than 3 (three) million EUR.

4. Tenderer must have completed as a prime/main contractor or the Lead Partner of the Joint Venture/Consortium at least two contracts which includes process design, construction and commissioning (design-build or turnkey Contract Conditions) of municipal waste water¹ treatment plant with capacity of at least 15.000 P.E. which was completed at any moment during the following period: in the course of the past 8 years (starting from 1st of January 2009 up to the deadline for submission of tenders).

Tenderer's project references covering design and construction of technological lines including P and N removal for facilities above 15,000P.E will be also considered as valid experience for the purpose of this tender, despite the fact the primary treatment stage (screens, grit and grease chamber is not part of scope of works).

Extension of the municipal WWTP (covering the proces design preparation, construction, installation and commissioning of additional technological line/train) with capacity of at least 15.000 P.E. delivered under design-build or turnkey Contract Conditions will be also considered as valid experience for the purpose of this tender.

In case where tenderer's references cover reconstruction/upgrade of a municipal WWTP, such works contract must include preparation of process design, civil works, electro mechanical and automation installation, and commissioning (design build or turnkey Contract Conditions).

Please note that the following works will not be considered as sufficient experience; e.g.

- renovation of a WWTP by replacing the electro-mechanical and automation equipment;
- extension of an existing WWTP comprising mainly of installation of sludge handling facilities;
- upgrading of a WWTP by adding effluent polishing step either incorporating e.g. membrane separation (after secondary clarification or replacing secondary clarification), or incorporating sand filtration to refine the secondary treated effluent, etc.

As regards point 16.b.4, the WWTP have been completed at any time during the indicated period but it does not necessarily have to be started during that period, nor implemented during the entire period.

"Completed" is to be intended as "Taking over Certificate" or "Performance Certificate" for construction contracts issued.

Regarding the calculation of the contracts amounts for the completed works of the tenderers, the values will be considered at the date of the completion and will not be carried to the date of the evaluation as "net present values" and should be converted to Euro rate

¹ Waste water from residential settlements and services which originates predominantly from the human metabolism and from household activities

from: <http://ec.europa.eu/budget/inforeuro/index.cfm?Language=en>

An economic operator may, where appropriate and for a particular contract, rely on the capacity of other entities, regardless of the legal nature of the links which it has with them. Some examples of when it may *not* be considered appropriate by the Contracting Authority are when the tenderer relies mostly on the capacity of other entities or when it relies on key criteria. If the tenderer relies on other entities, it must prove to the Contracting Authority that it will have at its disposal the resources necessary to perform the contract, for example by producing a commitment on the part of those entities to place resources at its disposal. Such entities, for instance the parent company of the economic operator, must respect the same rules of eligibility and notably that of nationality, as the economic operator. Furthermore, the tender should include a separate document providing data on this third entity for the relevant selection criterion. Proof of capacity must be furnished at the request of the Contracting Authority.

With regard to technical and professional criteria, a tenderer may only rely on the capacities of other entities where the latter will perform the works for which these capacities are required.

With regard to economic and financial criteria, the entities upon whose capacity the tenderer relies, become jointly and severally liable for the performance of the contract.

17. Award criteria

The most economically advantageous tender is the technically compliant tender with the lowest price.

TENDERING

18. How to obtain the tender dossier

The tender dossier is available for collection from Contracting Authority (CFCU) on CD-ROM, free of charge, which excludes courier delivery, at the following address:

Ministry of Finance
Department for Contracting and Financing of EU Funded Programmes (CFCU)
3-5 Sremska St., VII floor, Office 701
11000 Belgrade, Republic of Serbia.

Opening hours of the Contracting Authority: 8:30 – 15:00 CET, Monday to Friday
Tenders must be submitted using the standard tender form included in the tender dossier, whose format and instructions must be strictly observed.

The Tender Dossier (except Vol 6) can be downloaded from:
<https://webgate.ec.europa.eu/europeaid/online-services/index.cfm?do=publi.welcome> or the website of the Contracting Authority (CFCU) at: <http://www.cfcu.gov.rs/tenderi.php>.

Tenderers with questions regarding this tender should send them in writing to cfcu.questions@mfin.gov.rs

Or at postal address:

The Government of the Republic of Serbia represented by the Ministry of Finance

Department for Contracting and Financing of EU Funded Programmes (CFCU)
Division for tender preparation and project and contract management
3-5 Sremska Str, VII floor, Office 701
Belgrade 11000, Republic of Serbia

(mentioning the publication reference shown in item 1) at least 21 days before the deadline for submission of tenders given in item 19. The Contracting Authority must reply to all tenderers' questions at least 11 days before the deadline for submission of tenders. Eventual clarifications or minor changes to the tender dossier will be published at the latest 11 days before the submission deadline on the EuropeAid website at <https://webgate.ec.europa.eu/europeaid/online-services/index.cfm?do=publi.welcome> and on the website of the Contracting Authority (CFCU) at: <http://www.cfcu.gov.rs/tenderi.php>.

19. Deadline for submission of tenders

10:00 Central European Time on 17th March 2017

The tender must be sent to the following address:

Ministry of Finance, Government of the Republic of Serbia
Department for Contracting and Financing of EU Funded Programmes (CFCU)
Division for Tender Evaluation and Contracting
3-5, Sremska St., VII floor, Office 701
11000 Belgrade,
Republic of Serbia

If tenders are hand delivered they should be delivered to the following address:

Ministry of Finance, Government of the Republic of Serbia
Department for Contracting and Financing of EU Funded Programmes (CFCU)
Division for Tender Evaluation and Contracting
3-5, Sremska St., VII floor, Office 701
11000 Belgrade,
Republic of Serbia

Opening hours of the Contracting Authority: 8:30 – 15:00 CET, Monday to Friday

Any tender received by the Contracting Authority after this deadline will not be considered.

20. Tender opening session

12:00 Central European Time on **17th March 2017**, at the premises of Contracting Authority (CFCU), 3-5 Sremska St., I floor, Conference room, Belgrade 11000, Republic of Serbia

21. Language of the procedure

All written communications for this tender procedure and contract must be in English.

22. Repetition of similar works

Subsequent to the initial contract resulting from the current tender procedure, new works and services consisting in the repetition of similar works and/or services, up to the estimated amount

of EUR 1,000,000, may be entrusted to the initial contractor by negotiated procedure without prior publication of a contract notice, provided the new works and/or services are in conformity with the same basic project.

23. Legal basis²

Council Regulation (EC) No. 1085/2006 of 17 July 2006 establishing an Instrument for Pre-Accession Assistance (IPA) – OJL 210/82 of 31/07/2006

² Please state any specificity that might have an impact on rules on participation (such as geographic or thematic or long/short term).

